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Attorneys for Carnival Corporation

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X	
SHERMAN GOTTlieb,	:
	:
Plaintiff,	:
	:
- against -	:
	:
CARNIVAL CORPORATION,	:
	:
Defendant.	:
-----X	

04-CV-4202 (ILG) (VVP)

**CARNIVAL CORPORATION'S  
PROPOSED VOIR DIRE QUESTIONS**

Pursuant to Paragraph (d)(1) of the Court's Civil Pretrial Order, filed November 3, 2009, Defendant Carnival Corporation ("Carnival") respectfully submits the following Proposed Voir Dire Questions.

1. Are any of you unable to read, write, speak, and understand the English language?
2. Do you know personally any of the attorneys in this case: Andre Cizmarik, Joseph Saltarelli, Victor Prial?
3. Have you ever been represented by the law firms Edwards Angell or Hunton & Willams?
4. Have you ever been involved in a lawsuit in which an opposing or adverse party was represented by Edwards Angell or Hunton & Willams?
5. Do you know anyone who works for Edwards Angell or Hunton & Willams?
6. Do you know any of the federal judges or personnel of the federal court, such as bailiffs or court reporters?
7. The plaintiff in this action is Mr. Sherman Gottlieb. Do you or any member of your family know Mr. Gottlieb or any member of his family?
  - a. If yes: How long have you (or your family member) known Mr. Gottlieb (or his family)?
  - b. How long have you (they) known him (them)?
8. The defendant in this action is Carnival Corporation. Have you or anyone you know ever been affiliated with Carnival Corporation as an employee, customer, or otherwise?
9. If yes:
  - a. Who do you know who works for Carnival Corporation?
  - b. What is his/her job? Where does he/she work for Carnival Corporation?
  - c. How do you know this person?
  - d. How long have you known this person?
  - e. Will the fact that you know this person interfere with your ability to decide this case fairly and impartially?
10. Do you work in the legal industry or have any legal training?

11. Do you know personally any of the witnesses in this case:

Fred Stein

Louis Mauriello

12. Have you ever worked in the travel industry?

13. Have you ever worked for a cruise line?

14. Do you have close relatives, such as your spouse, mother, father, brother or sister, who work in the travel industry?

15. Do you have close relatives who work for a cruise line?

16. Have you or any of your close relatives ever been self-employed in a small business operation?

17. Have you or any of your close relatives ever been a travel agent?

a. If Yes, were you or they ever agents for a cruise line? Which cruise line?

18. Have you or any of your close relatives ever been a real estate agent or broker?

19. Do you or any of your close relatives have a fax machine?

20. Is the fax machine for your personal or business use?

21. Have you ever received faxes from Carnival?

22. Have you ever been on a cruise? Which cruise line?

a. If Yes, where did you go and when?

b. Did you have a good or bad experience?

c. Was there any kind of experience or event on that cruise that would incline you to feel a particular way (good or bad) towards Carnival?

23. Have you or any of your close relatives ever cruised on a Carnival cruise?

a. If Yes, where did you/they go and when?

b. Did you have a good or bad experience?

- c. Was there any kind of experience or event on that cruise that would incline you to feel a particular way (good or bad) towards Carnival?
- 24. Do you or any of your close relatives regularly go on cruises?
- 25. Do you have any feelings about the cruise line industry that would incline you to feel a particular way (good or bad) towards Carnival?
- 26. Have you ever heard news reports about cruising or Carnival that might affect your feelings, one way or the other?
- 27. Do you have any immediate future plans for a cruise?
- 28. Does Carnival's place of incorporation affect your feelings towards Carnival, one way or the other?
- 29. As a juror, would you have any problems in giving a corporation the same fair treatment that you would give to an individual plaintiff?
- 30. Are you aware of the Telephone Consumer Protection Act?
- 31. Do you think that you know anything about this case? Have you read anything about it or have you heard any discussions concerning it?
- 32. Have you previously served on a jury of any kind before, either in state or federal court, and in either a civil or criminal trial?
  - a. If Yes, where and when did you serve?
  - b. What type of case was it?
  - c. Was a verdict reached by the jury on which you served? If so, please describe the verdict reached.
  - d. Was there anything in that experience as a juror that would make it difficult for you to decide this case based solely on the evidence that is submitted during the trial and on the instructions given you by the Court?
- 33. Have you previously appeared as a witness before, either in state or federal court, and in either a civil or criminal trial?
  - a. If Yes, where and when did you appear?
  - b. What type of case was it?

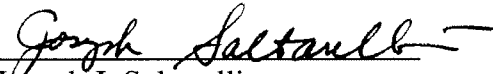
- c. Was there anything in that experience as a witness that would make it difficult for you to decide this case based solely on the evidence that is submitted during the trial and on the instructions given you by the Court?
34. Have you, or has any member of your family or any person close to you, ever been involved in a lawsuit of any kind?
- a. If Yes, please name the plaintiff and defendant in that lawsuit.
  - b. What was the nature of the lawsuit?
  - c. What was the outcome?
  - d. Do you understand every case is different and that what happened in that case had nothing to do with this one?
35. Have any of you ever been in a situation where you felt the legal system treated unfairly?
36. Would you have a tendency to award damages just because you think a defendant can afford it?
37. Do you believe that just because the plaintiff has filed a lawsuit and that it is going to trial, his claims must have some merit?
38. Will you promise to decide this case based only on the law and the evidence if you serve on this jury?
39. Our judicial system provides that it is up to the Plaintiff to prove his allegations by a preponderance of the credible evidence. It is not up to the Defendant to disprove the Plaintiff's allegations. If the Plaintiff fails to convince you by a preponderance of the evidence that his allegations in this lawsuit are true, would you have difficulty returning a verdict for Defendant Carnival?
40. The jury selected in this case will be required to decide factual issues submitted to it solely on the basis of the evidence submitted during the course of the trial and not on the basis of any feelings of sympathy or prejudice that any member of the jury may have with respect to the parties or their counsel. Do you believe that, if you are selected to serve on this jury, it would be difficult for you to decide the questions submitted to you solely on the basis of the evidence presented during the trial because of (a) some feelings of sympathy you may have for one of the parties or (b) some bias or prejudice you may feel against one of the parties? If so, what difficulty might you have in this regard?

41. On the basis of what you have learned about this case and its parties at this point, do you have any present feeling for or against any of the parties, attorneys, or witnesses in this matter?
42. Based on the foregoing description, is there anyone here who believes that it may be difficult for them to serve on this jury?
43. Do you know of any other reason or has anything occurred during this question period that makes you doubt that you can be a completely fair and impartial juror and render a verdict based solely on the evidence presented and the instructions given by the court? If there is, it is your duty to disclose such reason at this time.

Dated: New York, New York  
March 1, 2010

Respectfully Submitted,

HUNTON & WILLIAMS LLP

By:   
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Victor L. Prial  
200 Park Avenue  
New York, New York 10166  
(212) 309-1000

Attorneys for Carnival Corporation

**DECLARATION OF SERVICE**

Bradford C. Mulder, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

I am the Managing Clerk for the law firm of Hunton & Williams LLP, attorneys for Defendant Carnival Corporation.

On March 1, 2010, I served a true copy of the attached Carnival Corporation's Proposed Voir Dire Questions, on counsel of record for Plaintiff, at the address listed below, via the Court's ECF System.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 1, 2010

  
Bradford C. Mulder

TO: Andre K. Cizmarik, Esq.  
Anthony J. Viola, Esq.  
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*Attorneys for Plaintiff Sherman Gottlieb*